

109TH CONGRESS
1ST SESSION

H. R. 1480

To require that a conversion to contractor performance of an activity or function of the Federal Government may not result in the loss of employment of any Federal worker with a severe disability employed in that activity or function.

IN THE HOUSE OF REPRESENTATIVES

APRIL 5, 2005

Mr. VAN HOLLEN introduced the following bill; which was referred to the Committee on Government Reform

A BILL

To require that a conversion to contractor performance of an activity or function of the Federal Government may not result in the loss of employment of any Federal worker with a severe disability employed in that activity or function.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Federal Employees
5 with Disabilities Protection Act”.

1 **SEC. 2. PROHIBITION ON TERMINATING EMPLOYMENT OF**
2 **FEDERAL WORKERS WITH DISABILITIES EM-**
3 **PLOYED IN ACTIVITY OR FUNCTION CON-**
4 **VERTED TO CONTRACTOR PERFORMANCE.**

5 (a) PROHIBITION.—In the case of a conversion to
6 contractor performance of any activity or function of an
7 executive agency under Office of Management and Budget
8 Circular A–76 or any other policy, directive, or regulation,
9 including any Most Efficient Organization plan, the head
10 of the executive agency may not terminate the employment
11 of any employee in that activity or function if—

12 (1) the employee is an individual with a dis-
13 ability (as defined in section 7(20)(A) of the Reha-
14 bilitation Act of 1973 (29 U.S.C. 705(20)(A)); and

15 (2) the employee was hired under a plan or pro-
16 gram designated for hiring individuals with such dis-
17 ability.

18 (b) EXCEPTION.—Subsection (a) shall not apply to
19 an activity or function that is planned to be changed to
20 performance by a qualified nonprofit agency for the blind
21 or by a qualified nonprofit agency for other severely handi-
22 capped persons in accordance with the Javits-Wagner-
23 O’Day Act (41 U.S.C. 46–48c), if each employee covered
24 by subsection (a) is offered another position with the Fed-
25 eral Government, or with the nonprofit agency that will
26 perform the activity or function, that is equivalent to the

- 1 position previously held by the employee before the change
- 2 to performance by the nonprofit agency.

